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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

CHRIS HAYWOOD,) CV 05-198-M-DWM
)
Plaintiff,)
)
vs.) ORDER
)
THE TRAVELERS INDEMNITY COMPANY)
OF AMERICA, and AUTO-OWNERS)
INSURANCE COMPANY,)
)
Defendants.)
)

United States Magistrate Jeremiah C. Lynch entered Findings and Recommendation in this matter on August 29, 2006. There were no objections filed by either Plaintiff or Defendant The Travelers Indemnity Company of America and therefore, are not entitled to de novo review of the record. 28 U.S.C. § 636(b)(1). This Court will review the Findings and Recommendation for clear error. McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Lynch concluded that the motion to dismiss of

Defendant Auto-Owners Insurance Company for lack of personal jurisdiction should be Granted.

I find no clear error in Judge Lynch's Findings and Recommendation (dkt # 25) and I adopt them in full.

IT IS HEREBY ORDERED that the Motion to Dismiss for Lack of Prosecution (dkt # 6) is GRANTED. The case is DISMISSED.

DATED this 3rd day of October, 2006.



DONALD W. MOLLOY, CHIEF JUDGE
UNITED STATES DISTRICT COURT

